

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: : Chapter 13
Michael Alexander David :
: Bk. # 19-14074
:

OBJECTION TO CERTIFICATION OF DEFAULT FILED ON JANUARY 12, 2021

1. Debtors filed the instant bankruptcy on July 26, 2019.
2. One of Debtors' creditors is SN Servicing Corporation, who is a secured creditor of Debtor on his primary residence.
3. The parties entered into a Stipulation which was approved by this Court on December 16, 2020 resolving a Motion for Relief concerning delinquent mortgage payments.
4. Debtor was unable to make the necessary payments pursuant to the stipulation due to financial hardship.
5. Specifically, Debtor, who is self employed as a cleaning contractor, was not being paid timely by his clients.
6. Creditor filed a Certification of Default on January 12, 2021 averring that Debtor is delinquent post petition for \$2,970.74. see attached.
7. Debtor has since paid the Default and there is no longer a monetary default. see attached.

WHEREFORE, Debtor requests this Honorable Court to sustain the herein Objection to Certification of Default and enter the attached Order.

\s\

Dated: January 15, 2021

Jermaine Harris, Esquire
Attorney for Debtor Michael Alexander David
100 South Broad Street, Suite 1523
Philadelphia, PA 19110
(215)385-1091

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: : Chapter 13
Michael Alexander David :
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ORDER

AND NOW, this _____ day of _____, 2018, upon consideration of Debtors' Objection to Certification of Default and any response thereto,

IT IS HEREBY ORDERED THAT Debtors' Objection is SUSTAINED and SN Servicing Corporation's Certification of Default is DENIED.

J.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Chapter 13
Michael Alexander David	:	Bk. # 19-14074
	:	

CERTIFICATE OF SERVICE OF OBJECTION TO CERTIFICATION OF DEFAULT

I, Jernaine Harris, Esquire, hereby certify that I served a true and correct copy of Debtors' objection to certification of Default upon the below listed via the court's electronic filing system:

Lorraine Gazzara Doyle, Esquire
1325 Franklin Avenue, Suite 230
Garden City, New York 11530

William C. Miller, Esquire
Chapter 13 Trustee
PO Box 1229
Philadelphia, PA 19107

\s\

Jermaine Harris, Esquire
100 South Broad Street, Suite 1523
Philadelphia, PA 19110
(215)385-1091

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Michael Alexander David
Debtor

Dorothy David
Non-filing Co-Debtor

SN Servicing Corporation as servicer
for U.S. Bank Trust National
Association as Trustee of the Igloo
Series IV Trust
Movant
v.

Michael Alexander David
Dorothy David
Scott F. Waterman - Trustee
Respondents

CASE NO.: 19-14074-amc

CHAPTER 13

JUDGE: Ashely M. Chan

CERTIFICATION OF DEFAULT

FRIEDMAN VARTOLO, LLP, attorneys for Movant, hereby certifies that the above-captioned Debtor has failed to comply with the terms of the Stipulation approved by the U.S. Bankruptcy Judge Ashely M. Chan on December 16, 2020. A copy of the Stipulation is attached hereto as Exhibit "A". Debtor failed to tender a full cure payment of \$7,424.36 to secured creditor by December 1, 2020. The Debtor tendered a payment of \$6,600.00, leaving the Debtor currently post-petition due for October 1, 2020 through January 1, 2021 at \$774.62 a month, less \$127.74 in suspense. The total post-petition arrears are \$2,970.74. In accordance with the terms of said Stipulation agreed to by the parties, the Automatic Stay is hereby lifted as to permit Movant to proceed with their State Court remedies upon Debtor's property.

Dated: January 12, 2021

By: /s/Lorraine Gazzara Doyle

Lorraine Gazzara Doyle, Esq.
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▼ Navigation Menu

Online Payment Confirmation

Thank you for submitting your online payment.

Your payment of **\$1599.62** for loan number **XXXXXX8736** has been submitted. Please print this page for your records.

Please be advised that processing will take 1-4 business days. If your payment has not been posted to your account by that time, please contact Customer Service for assistance.

Your payment has been submitted. Do not use the Back or Refresh buttons as this may submit additional payments. Until they are processed, payments can be changed or deleted using either the "View Payments (./PaymentCenter.aspx)" page or by clicking the "Change Pending Payments" button below.

You will also receive a remittance advice from our Customer Service department via email from CustomServ@snsc.com (mailto:CustomServ@snsc.com). These email notifications may be forwarded to your SPAM or bulk mail folder depending upon your email settings. Please check with your email provider to learn more about changing your SPAM settings to allow these notifications to be delivered to your inbox.

Your payment will be processed through a third party that observes holidays as established by the Federal Government. A list of federal holidays can be obtained from <http://www.opm.gov/fedhol/> (<http://www.opm.gov/fedhol/>).

You currently have 1 pending payment(s)

Loan	Amount	Payment Date
XXXXXX8736	\$1,599.62	1/13/2021

[Change Pending Payments](#)

Welcome (Default.aspx) | Make Payment (Payment.aspx) | View Payments (PaymentCenter.aspx) | View Billing Statement (BillingStatementSummary.aspx)
| Billing Statement (BillingStatementRequest.aspx) | Loan Status (LoanStatus.aspx) | Payoff Quote (PayoffQuote.aspx) | Year-End Tax Information
(YearEndTax.aspx) | Home Insurance Information (HomeInsurance.aspx) | Personal Information (PersonalInformation.aspx) | Change Profile
(ChangeProfile.aspx)

Privacy Policy (./PrivacyPolicy.aspx) / Terms & Conditions (./TermsAndConditions.aspx)

Wells Fargo Business Online

Proof of Payment

Customer Information

Customer Name MICHAEL A DAVID
Business Name
Address (line 1)
Address (line 2)
City
State
Zip Code

S N Servicing
P.O. Box 660820

Dallas
TX
75266-0820
(800) 603-0836

The check image is currently not available due to one of the following reasons. Please try again later.
* The check has not yet been cashed.

Payment Detail

	Payment Type	Paper Check
Payee Account No.	XX8736	
Name on Account	MICHAEL A DAVID	
Payment Amount	\$1,549.24	
Send Date	01/04/2021	
Expected Delivery	01/11/2021	
Reference No.	H92GLP1V	
Status	Check Mailed	
Check No.	641406	
Trace ID		
Memo	Nov. & Dec. Mortgage Payment	